IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 34479 of 2007(D)

CRIME 36/2005 OF KOVALAM POLICE STATION

PETITIONER:

APPUKKUTTAN, S/O.
AGED 60 YEARS, PATRON, KEEZHATHIL
SREE MAHAGANAPATHY TEMPLE, KOVALAM,
P.O.KOVALAM, TRIVANDRUM DISTRICT.

BY ADV. SRI.J.S.AJITHKUMAR
SRI.S.ASWAKUMAR

RESPONDENTS:

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1. SUB INSPECTOR OF POLICE, KOVALAM
POLICE STATION.

2. DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM.

3. STATE OF KERALA, REPRESENTED BY THE
SECRETARY, HOME DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

4. BINDUMOL, GOPAL AYURVEDIC RESORTS AND
RESEARCH CENTRE, KOVALAM P.O., TRIVANDRUM.

R1 TO 3 BY GOVT. PLEADER SRI. M.S. BREEZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R. BASANT, J.

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W.P.C.No. 34479 of 2007 D

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Dated this the 22nd day of November, 2007

JUDGMENT

The petitioner claims to be the patron of a temple. About the theft committed in that temple, Crime No.36 of 2005 of Kovalam Police station was registered on 5.2.2005. The complaint was lodged by the Poojari of the temple. Investigation was conducted and very quickly by report dt. 30.5.2005 the Investigating Officer reported to the learned Magistrate that the case is included in the list of undetected cases and referred.

2. The petitioner has now come before this Court with a grievance that a proper investigation has not been conducted. There is an Ayurvedic massage centre run in the locality. The petitioner has reasons to believe that the 4th respondent, who runs such centre will be able to furnish crucial and vital information about the theft. The petitioner suspects the involvement of the 4th respondent also in the crime. The petitioner airs the grievance

before this Court that a proper investigation has not been conducted. He further submits that in so far as a crime registered against him is concerned, the police have shown great anxiety to expeditiously file the final report. Be that as it may, on the materials available, as revealed from Ext.P2 final report, I find no reason to make any specific order setting aside Ext.P2.

3. The learned Govt. Pleader submits that if the petitioner can furnish any relevant and vital information to the police, which will be helpful in resolving the crime, he can furnish the same to the S.H.O., Kovalam police station, whereupon the needful shall be done to re-open the case and further investigate the same.

4. This Writ Petition is accordingly dismissed with the specific observation that the petitioner can appear before the S.H.O., Kovalam police station and furnish to such officer any information, which will be helpful to resolve the crime alleged in Crime No. 36 of 2005 of Kovalam police station. If such information is received, needless to

say, necessary steps must be taken by the police to re-open the case and proceed further with the investigation.

5. Issue copy today itself.

(R. BASANT)
Judge

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